

## REMARKS

The Examiner stated that “the information disclosure statement filed on 12/22/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each . . . non-patent literature publication . . .” More specifically, the Examiner stated “the crossed document listing in the Information Disclosure Statement (PTO-1499) has not been considered because it was not submitted.”

The “crossed document” to which the Examiner refers is a book entitled *Logical Effort: Designing Fast CMOS Circuits*, by Ivan Sutherland, Bob Sproull, and David Harris, Morgan Kaufmann Publishers, Inc. (1999), ISBN # 1-55860-557-6. This book was received by the USPTO and was placed in a USPTO artifact folder/box having artifact number 10699709BA. A copy of the relevant “Artifact Sheet,” which was downloaded from PAIR is attached. Applicants respectfully request that the Examiner obtain the provided book from that USPTO artifact folder/box.

The Examiner objected to claims 1, 10, and 19 because the phrase “the ‘transistor fanout’” and the phrase “ratio of transistor sizes” are not clearly described in the specification. In that regard, the Examiner stated that “Examiner interprets they are the same meaning.”

The phrase “transistor fanout” does not have the same meaning as the phrase “ratio of transistor sizes.” The term “fanout” is defined on page 6, lines 16-17 of the Specification:

“the load of the gates driven by a logic gate divided by the size of the logic gate.”  
On the other hand, the phrase “ratio of transistor sizes” is intended to mean the size of a first transistor with respect to the size of a second transistor, such as a reference transistor. See Specification, page 10, lines 8 – 15.

In an effort to clarify the claims, the definition of fanout has been included in claim 1 and the term “fanout” has been removed from independent claims 10 and 19. In addition, the phrase “ratio of transistor sizes” has been replaced in claims 10 and 19 with the phrase “the size of a first transistor with respect to the size of a second transistor.” Applicant thanks the Examiner for indicating the difficulty in understanding the above-discussed phrases.

The Examiner objected to claims 1, 10, and 19 under 35 U.S.C. 112, second paragraph as being incomplete for omitting essential steps. In that regard, the Examiner stated:

“The omitted step is: ‘Determine the Transistor Size from the Steady-State Solution . . . because it is a necessary step to determine an optimal transistor size from the steady-state solution in order to be able to perform the step ‘determining at least one transistor fanout from the steady state solution.’”

The Applicants have amended claim 1 to include the step of determining the size of at least one transistor. The previously discussed amendments to claims 10 and 19 have rendered the Examiner’s rejections of claims 10 and 19 under 35 U.S.C. 112, second paragraph moot.

The Examiner rejected claims 1 – 6, 10 – 15, and 19 – 22 under 35 U.S.C. 102(e) as being anticipated by Sutherland *et al.* In that regard, the Examiner stated “Sutherland discloses a sizing element includes a resistor which is tunable (i.e., ‘dynamic resistor’).”

Applicants did not intend the phrase “a dynamic resistor” to mean a tunable resistor. Applicants intended the phrase “a dynamic resistor” to mean:

“the size of the resistor dynamically varies based upon one or more values.”

See Specification, page 6, lns. 18 – 19. On the other hand, the tunable resistor of Sutherland *et al.* does not vary based upon one or more values of the sizing model. It appears that the values of the “tunable” resistor are manually controlled by a user.

In order to clarify the meaning of a “dynamic resistor,” the independent claims have been amended to include:

“a resistor that dynamically varies based upon one or more values in the sizing model, *i.e.*, a dynamic resistor.”

In light of the above, Applicants submit that all currently pending claims are allowable over Sutherland *et al.*

### CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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